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DEPARTMENT OF THE ARMY
Washington 25, D. C.

Dear Mr. Speaker:

There are forwarded herewith a draft of legislation and sectional analysis "To amend further the Missing Persons Act, as amended."

This proposal is a part of the Department of Defense Legislative Program for 1955, and it has been approved by the Bureau of the Budget. The Department of the Army has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

Purpose of the Legislation

This proposal would revise the Missing Persons Act (56 Stat. 143), as amended (50 U.S.C. App. 1001 et seq.), and would provide permanent authority for heads of military or other Government departments to continue payment of the pay and allowances of military and civilian personnel during periods of absence from their posts of duty while in a missing status, to initiate and discontinue allowances of dependents of such personnel, and to make presumptive findings of death and other determinations under appropriate circumstances. Under current provisions of law the Missing Persons Act will expire July 1, 1955.

Authority for the continuance of pay and allowances to the dependents of persons who are in a missing status and for the head of the department concerned to make prompt settlement of such missing person's account was initially provided during World War II. The Congress early in 1942 recognized the need for such authority because the Executive departments could not, under existing law, make appropriate and expeditious payment to dependents of persons in a missing status or settle the accounts of such missing personnel. As a result the Congress enacted the Missing Persons Act on March 7, 1942, which was a temporary measure. That Act would have expired on July 25, 1948, by the operation of section 3 of the Act of July 25, 1947 (61 Stat. 451). However, mounting tensions throughout the world and the increased number of incidents which have involved mysterious disappearance and detention of individuals, military and civilian, indicated that there was a continued need for legislation of this type. In addition, commitments of the United States Government required that both military and civilian personnel continue to serve within or in the near vicinity of troubled areas. Consequently, on June 24, 1943, the Congress extended the temporary Missing Persons legislation by section 4(e) in the Selective Service Act of 1948 (62 Stat. 608) and since then that authority has been extended from time to time. The demands of the international situation indicate that

legislation of this type is necessary, not only to meet the current needs but to meet the needs for years in the foreseeable future. In the event of war, legislation of this type would be immediately essential. Under these circumstances, it is believed that this type of legislation should be of a permanent nature and the attached proposal has been so drafted.

The attached sectional analysis of the draft of bill contains a detailed explanation of the proposed amendments to the Missing Persons Act for use as supplemental justification for this legislation.

Cost and Budget Data

In the event this proposal is enacted into law, it is estimated that little, if any, additional cost will result for fiscal year 1956. Any additional cost that will result will be absorbed within the amounts requested for operation of the Department of Defense during fiscal year 1956.

Sincerely yours,

2 Inclosures

1. Draft of bill
2. Sectional analysis

Honorable Sam Rayburn

Speaker of the House of Representatives